

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----)
)
PUBLIC UTILITIES COMMISSION)
)
Instituting a Proceeding Under)
Hawaii's Net Energy Metering)
Law, Hawaii Revised Statutes)
§§ 269-101 - 269-111, to)
Investigate Increasing: (1) the)
Maximum Capacity of Eligible)
Customer-Generators to More)
Than Fifty Kilowatts; and)
(2) the Total Rated Generating)
Capacity Produced by Eligible)
Customer-Generators to an)
Amount Above 0.5 Percent of)
Peak Demand.)
_____)

DOCKET NO. 2006-0084

ORDER NO. 23553

RECEIVED
2007 JUL 23 A 8:42
DIV. OF CONSUMER ADVOCACY
DEPT. OF COMMERCE AND
CONSUMER AFFAIRS
STATE OF HAWAII

Filed July 20, 2007
At 9 o'clock A.M.

Karen Higashi.
Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHI
Chief Clerk, Public Utilities
Commission, State of Hawaii.

Karen Higashi.

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Docket No. 2006-0084

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ORDER

By this Order, the commission approves the DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS, DIVISION OF CONSUMER ADVOCACY's ("Consumer Advocate") request, on behalf of the Parties in this docket,¹ to amend the Revised Stipulated Regulatory Schedule governing this proceeding.

¹The commission named, as original parties to this proceeding, HAWAIIAN ELECTRIC COMPANY, INC., HAWAII ELECTRIC LIGHT COMPANY, INC., MAUI ELECTRIC COMPANY, LIMITED, KAUAI ISLAND UTILITY COOPERATIVE, and the Consumer Advocate. See Order No. 22380, filed on April 10, 2006. By Order No. 22535, filed June 15, 2006, the commission granted intervention to HAWAII RENEWABLE ENERGY ALLIANCE ("HREA") and HAWAII SOLAR ENERGY ASSOCIATION ("HSEA"), and participation without intervention to ZERO EMISSIONS LEASING LLC ("Zero Emissions"). The original parties, as well as HREA and HSEA, are hereinafter referred to as the "Parties," and Zero Emissions is referred to as the "Participant."

I.

Request to Amend Revised Stipulated Regulatory Schedule

Pursuant to Order No. 23524, filed on June 29, 2007, the commission approved the following amendments to the Revised Stipulated Regulatory Schedule in this docket:² Simultaneous Statements of Position (from June 15, 2007 to July 16, 2007); Simultaneous Information Requests to the Parties on their Statements of Position (from June 28, 2007 to July 27, 2007); and Simultaneous Responses to Information Requests filed by the Parties (from July 25, 2007 to August 27, 2007).³

By letter dated and filed on July 11, 2007, the Consumer Advocate, on behalf of the Parties, requested the following additional extensions of the foregoing deadlines: Simultaneous Statements of Position (from July 16, 2007 to September 17, 2007); Simultaneous Information Requests to the Parties on their Statements of Position (from July 27, 2007 to September 27, 2007); and Simultaneous Responses to Information Requests filed by the Parties (from August 27, 2007 to October 22, 2007).

The Consumer Advocate noted that it made its last request based on the "Parties' and Participant's desire to hold a

²The Revised Stipulated Regulatory Schedule that governs this proceeding is attached as Exhibit A to Order No. 23441, filed on May 17, 2007.

³By letter dated and filed on June 15, 2007, the Consumer Advocate, on behalf of the Parties, requested the above extensions, which were approved by the commission in Order No. 23524.

collective settlement discussion to attempt to reach agreement and resolve all or as many of the issues of the subject proceeding as possible."⁴ The Consumer Advocate, however, represented that it "was unaware at the time of the request . . . that due to the Parties' various scheduling conflicts and travel plans, the Parties and Participant would not be able to hold such a settlement discussion until July 16, 2007."⁵ Thus, according to the Consumer Advocate, the Parties request an additional two-month extension of the deadlines to allow the Parties and Participant ample time to hold one or more settlement discussions, and to draft a settlement agreement if a settlement is reached.

The commission will treat the Consumer Advocate's July 11, 2007 letter as a motion for an extension of time ("Motion") under Hawaii Administrative Rules ("HAR") §§ 6-61-23 and 6-61-41. HAR § 6-61-23(a)(1) allows the commission to enlarge a period by which a required act must be completed upon a showing of good cause provided that a written request is made before the expiration of the period originally prescribed.

After reviewing the entire record, and based on the representations in the Consumer Advocate's letter, the commission finds the proposed revisions to the Revised Stipulated Regulatory Schedule to be reasonable. Accordingly, the commission grants the Motion and approves a two-month extension of time for the Parties to file their Simultaneous Statements of Position, Simultaneous

⁴Letter dated and filed July 11, 2007, from the Consumer Advocate to the Commission, at 2.

⁵Id.

Information Requests to the Parties on their Statements of Position, and Simultaneous Responses to Information Requests. The commission, however, also finds it reasonable to establish a deadline for the Parties to submit a joint settlement letter to the commission, if any, by October 1, 2007.

II.

Orders

THE COMMISSION ORDERS:

1. The Consumer Advocate's Motion, on behalf of the Parties, to amend the Revised Stipulated Regulatory Schedule, is approved.

2. The Parties are granted a two-month extension of time for the following deadlines: Simultaneous Statements of Position (from July 16, 2007 to September 17, 2007); Simultaneous Information Requests to the Parties on their Statements of Position (from July 27, 2007 to September 27, 2007); and Simultaneous Responses to Information Requests filed by the Parties (from August 27, 2007 to October 22, 2007).

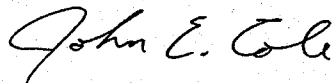
3. The Parties' deadline to submit a joint settlement letter to the commission, if any, is October 1, 2007.

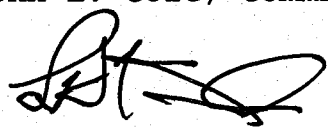
4. In all other respects, the Revised Stipulated Regulatory Schedule attached to Order No. 23441, remains unchanged.

DONE at Honolulu, Hawaii JUL 20 2007.

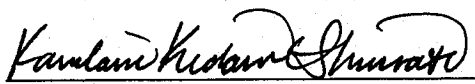
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
John E. Cole, Commissioner

By 
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:


Kaiulani Kidani Shinsato
Commission Counsel

2006-0084.sl

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 23553 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

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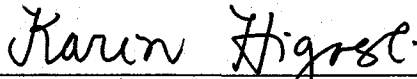
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DATED: JUL 20 2007